

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN

Ernesto Rivera,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 14-cv-6
)	
C. Lisa Hocutt, et al.,)	
)	
Defendants.)	
_____)	

**PLAINTIFF’S UNOPPOSED CIVIL L. R. 7(h) EXPEDITED NON-DISPOSITIVE
MOTION TO ADJOURN THE FINAL PRE-TRIAL CONFERENCE DATE AND TRIAL
DATES**

Pursuant to Civil Local Rule 7(h), Plaintiff Ernesto Rivera (“Plaintiff”), by and through his undersigned attorneys of record, hereby moves the Court to adjourn the August 10, 2016, Final Pre-Trial Conference and the August 23, 2016, through August 25, 2016, trial dates. Plaintiff’s counsel has contacted counsel for each Defendant and is authorized to represent that this motion is not opposed. The basis for this motion is as follows:

Plaintiff and Defendants Debra Palm and Kim Robinson recently agreed to enter into a Settlement Agreement and Mutual Release of Claims releasing all claims against both defendants. In addition, while Defendant C. Lisa Hocutt¹ has yet to participate in this action, Plaintiff’s counsel recently initiated settlement negotiations with Ms. Hocutt’s counsel. Those negotiations continue in earnest.

As a practical matter, Plaintiff needs to continue to actively prepare for the trial that is scheduled for next month. But, in light of his settlement with Defendants Palm and

¹ On April 10, 2015, this Court entered default judgment against Ms. Hocutt for her failure to file an answer or otherwise respond to Plaintiff’s complaint. Dkt. 57.

Robinson, the sole issue remaining for trial is the damages owed to Plaintiff by Ms. Hocutt.

Thus, rather than actively preparing for a trial solely on damages, Plaintiff believes that resources will be better spent engaging in active settlement negotiations with Ms. Hocutt.

WHEREFORE, for the reasons set forth herein, Plaintiff respectfully requests that the Court adjourn the August 10, 2016, Final Pre-Trial Conference and the August 23, 2016, through August 25, 2016, trial. Additionally, Plaintiff respectfully requests that the Court schedule a brief status conference to discuss further scheduling of this matter.

Dated: July 21, 2016

Respectfully submitted,

s/ Timothy J. Patterson

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